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(A1655)

United States District Court
Southern District Of New York

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (RCC)
ECF Case

This Document Relates to:

Continental Casualty Co. et al. v. Al Qaeda Islamic Army, et al., 04-cv-5970 (RCC)

**STIPULATION WITH REGARD TO RULINGS ON MOTION TO DISMISS
OF DEFENDANT THE SAUDI HIGH COMMISSION IN RELATED CASES**

WHEREAS the plaintiffs in the action entitled Continental Casualty Co. v. Al Qaeda Islamic Army (the "Action") filed their complaint on September 1, 2004 and filed their amended complaint on December 7, 2004;

WHEREAS defendant the Saudi High Commission (SHC) is named as a defendant in the amended complaint in the Action;

WHEREAS SHC acknowledges that service of the amended complaint in the Action has been effected pursuant to the agreement reached between its counsel and plaintiffs' counsel;

WHEREAS SHC has filed a consolidated motion to dismiss the complaints naming it as a defendant in the following related cases (the "Related Cases"): *Ashton v. Al Qaeda Islamic Army*, 02-CV-6977 (RCC); *Barrera v. Al Al Qaeda Islamic Army*, 03-CV-7036 (RCC); *Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-5738 (RCC); *Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-9849 (RCC); *Federal Insurance Co. v. Al Qaida*, 03-CV-6978; *Salvo v. Al Qaeda Islamic Army*, 03-CV-5071 (RCC) (the "Consolidated Motion");

WHEREAS SHC's Consolidated Motion has been fully briefed by all parties thereto and is awaiting resolution by the Court;

WHEREAS the allegations in the amended complaint in the Action parallel those in the complaints filed in the Related Cases and, in many instances, are identical to them; in particular, the allegations that make specific reference to SHC in the amended complaint in the Action are substantially similar to those in the Related Cases;

WHEREAS the parties hereto wish to avoid, if possible, burdening the Court with additional filings or themselves with unnecessary litigation costs;

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:

1. The parties hereto will adopt as a binding order in the Action, with regard to SHC, the order of this Court deciding the Consolidated Motion (the "Order").
2. In the event the Order is appealed, the parties hereto will adopt as a binding order in the Action, with regard to SHC, any subsequent rulings by any appellate courts with regard to the Order.
3. All further proceedings in the Action with regard to SHC are stayed pending the resolution of the Consolidated Motion. After resolution of the Consolidated Motion, if the Court, with regard to the cases covered by the Consolidated Motion, orders or requires the filing of any answer by SHC and/or orders or permits discovery with regard to SHC, such order, requirement or permission will apply to the Action, as well.

Respectfully submitted,

Dated in Washington, D.C.: 05/18/2005

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*Counsel for Plaintiffs Continental
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SO ORDERED:

Richard C. Casey
Honorable Richard C. Casey
United States District Judge

Date: MAY 19, 2005